

HADA ROCKY ROAD

Oklahoma Melon Grower Has
Exciting Time in Topeka.Couldn't Deal With Commission
Men and Is Arrested.

GROCERS ARE EXCITED

Claim That There Is a Com-
mission Trust.Cite Case of Mr. Murphee as an
Example.

A war between the grocers of Topeka and the commission men culminated last night in the arrest of J. A. Murphee, a melon grower from Rush Springs, Oklahoma, on the technical charge of peddling without a license.

Sunday night Murphee stopped off in Topeka with a carload of melons. He had originally billed the car enough to Omaha, but was forced to stop off in Topeka and not make the trip to Omaha, on account of business matters which demanded his attention at his home. The carload was set out in the Rock Island tracks. All day Monday, a commission man, a Mr. Murphee, came to the car and made a few dollars' worth of melons at a reasonable figure to the local commission men. He went to Omaha, who offered him \$5 for the carload lot. This was just about enough to pay the freight and his expenses, and left nothing for profits. This dealer didn't want to make the purchase and suggested to Mr. Murphee that he try to dispose of his carload at some of the other houses. Another produce dealer was sought, and no offer could be secured from him. Finally, after two or three unsuccessful attempts, he returned to the first dealer, who he says then told him he wouldn't take them. Finally he found one man, who poses as the fairest commission man in Topeka, who offered him \$5 gross for the carload lot, which meant that Mr. Murphee would be expected to pay the freight himself.

This was the best offer Mr. Murphee could secure after spending a half day among the local commission men. The carload of melons weighed 26,000 pounds, which would have given this commission man the entire lot at a price less than 30 cents per hundred. At the same time the local grocers are paying the commission men \$1 per hundred pounds for watermelons. This would have given the commission man a profit of 70 cents and more on every hundred pounds of watermelons distributed among the local dealers. In hundred pounds of watermelons this man would have received profits which would aggregate 266 times 70 cents or a total of \$186.20, without doing anything other than delivering to the local dealers.

But to Mr. Murphee. He was offered but \$5.00 for the entire lot and was expected to pay the freight. The freight amounting to \$40.15, which would leave Mr. Murphee but \$24.85, with which to pay his expenses along the way. He would be lucky to have realized thirty cents out of the deal he had accepted. Mr. Murphee raised the melons himself on his own farm. He hauled them to the car in which they were to ship. He loaded them himself, and yet he claims the local commission man who had done nothing more than sit in his office all day, tried to get a corner on the entire profit.

Mr. Murphee, however, did not accept the offer of the commission merchant. Instead he called upon several of the local grocers and offered them a quantity of his melons at the rate of about 65 cents per hundred pounds. At this rate he sold about half the car load to Topeka merchants.

This however angered some of the local commission men when they found it out. So about 3 o'clock Monday afternoon, some of the local commission men, whose firm had refused to make an offer, and who was unknown to Mr. Murphee, stopped him while driving up Jackson with a load of melons. The commission men, who are well known as one who the grocers say is most vigorous in claiming that the local commission dealers do not work for the grocers, got into the car and went to Mr. Murphee with the purpose of buying a melon. Mr. Murphee was asked the price, and offered to give the commission merchant one. But the commission man refused to take one and insisted that he buy it. When asked the price, Mr. Murphee replied: "Oh, twenty cents ought to be a fair enough price."

The money was paid, but the commission merchant immediately summoned a police officer and demanded the arrest of Mr. Murphee. No charge was made, and Mr. Murphee was taken to the police station. He was arrested on the promise of the commission man to deliver the melons to him. On the floor to the police station and swear to a complaint. Mr. Murphee was held behind the iron bars for an hour and a half. He was finally given the melons by using a telephone and one of the Topeka merchants secured his release by going on his bond.

Later in the day William Anderson, a wholesale fruit dealer, secured an attachment on the melons belonging to Mr. Murphee claiming that Mr. Murphee had violated his agreement to deliver the melons to him. When asked concerning the claims of Mr. Anderson, Mr. Murphee said: "The Anderson-Armstrong company refused to make me any offer whatever."

At the same time, while Mr. Murphee was being accompanied to the station by the police officer, the same officer, who was seen by Anderson, succeeded in blinding the driver of the wagon, which was hauling the melons, threatening to arrest him if he didn't deliver the melons. It was made it made for the local dealer to receive his whole consignment of melons.

Mr. Murphee said: "How different is this from the way I was treated in Wichita. Last week while passing through that city I had a carload of melons, not nearly as large a car as in Topeka. I talked to a wholesale fruit dealer over the telephone and was offered \$120 for the carload, which left me a nice profit after paying the freight, which wasn't nearly as much as the freight on the Topeka carload. And yet some people wonder why Wichita is so far ahead of Topeka in a business way when her melon producers are treated so much better than the Topeka producers. They offer them good prices, and do not make arrests on fake charges, when the producer tries to make the best profit possible on his fruit, on his labors."

One grocer said today: "The holdup game of the Topeka commission men is not confined to watermelons, but it has been applied to other articles of produce. During the present hot weather when melons are

in particular demand, the commission men are realizing handsome profits. Local merchants have found it possible to get melons from Kansas City and pay the freight.

"Pineapples have also been imported from Kansas City by local merchants and have been sold down here at much lower prices than the local commission men have quoted."

"Many of the merchants are trying to fight the local 'trust,' as they call the commission men. But this is a hard proposition. For instance one large Kansas avenue store will import from Kansas City. It is impossible to make any impression without the commission men knowing all about it. They are at the local freight offices every day, and should they fail to notice the consignment there, they are sure to recognize it in the store windows. They know the merchants who do not buy from them, are getting their goods at lower prices. So they go to the nearest competitor and sell them an order at reduced prices, prices which are lower than the 'outlaw' merchant pays. They can afford to sell at a loss in a few cases, so large are the regular profits. It is a well known fact that living is higher in Topeka than in other towns in this section of the country. In Wichita, where a commission man is more active, the fact that living is cheaper there than in Topeka, and that is one reason why Topeka is not growing as fast as her neighbor."

"The statement which the commission men make to the effect that there is no trust, is probably correct. The organization of a trust to control the market is necessary. But it is undoubtedly true that there is an understanding among the local commission men, so that their interests are pooled together. Occasionally some of the dealers hoodwink their competitors, but these are exceptional cases. One dealer told a retailer on lower Kansas avenue that under the agreement which the commission dealers had, he couldn't quote a price for watermelons lower than a dollar for a hundred pounds, but that if the dealer would not say anything about it, he would give him 110 pounds for the same money."

"It is a fact that Topeka people are paying more this season for lemons, pineapples and watermelons. The experience of Mr. Murphee is a complex one, so say those who know. His trouble at the hands of the local commission men, so that the commission men are paying to get these fruits shows that the profits which they derive just before the consumer pays the bill, are not large or unreasonable. And the only fact that can remain is that the middlemen or the commission men, as they are known, are the ones who get the rake-off."

BIG CHARTER FEE.

Missouri Pacific Pays \$39,000 for Increasing Capital Stock.

The biggest charter fee in the history of the state of Kansas was received Monday night at the office of the secretary of state when the Missouri Pacific Railway company obtained a charter from the charter board increasing its capital with an addition of \$74,000,000. The fee paid for this charter amounted to the state of \$39,000, the largest record before this time was obtained by the Santa Fe when they gave to the state \$35,000.

This move on the part of the Missouri Pacific marks the consolidation of the different branch lines over the state and the new charter taken out is simply a reissue of the capital stock of the combination of the other roads. The act of taking out a charter means that the consolidation has been completed and the railway system organized completely.

The different branch lines and companies included under this new organization includes the following lines: Missouri Pacific, Kansas & Colorado Pacific, Central Branch, Rooks County, Nevada & Meriden of Kansas, Kansas City & Southwestern of Missouri, Kansas City & Southwestern of Kansas, Fort & Central, Kanawha & Kansas Central, Kansas Southwestern, LeRoy & Caney Valley Air Line.

When the Missouri Pacific officials had obtained their charter, they went before the board of railroad commissioners and obtained their permission to issue \$83,250,000 in additional stock.

WRIGHT TO EUROPE.

Orville Will Show the Germans How to Fly.

New York, Aug. 10.—Orville Wright has sailed for Germany, where he will make a series of flights in demonstration of the merits of the Wright aeroplane. He will make a brief stop in England, but Mr. Wright today would discuss the object of his visit to that country.

The general purpose of the flights to be made in Germany, he said, was to comply with arrangements made last winter with the company organized for the manufacture of the Wright aeroplanes in that country.

"We have the official record of having flown at the speed of 12 1/2 miles an hour at Fort Myer. I do not know of any foreigner having made over a marked course a speed to exceed 38 miles an hour. At Fort Myer on an unofficial test I went at the rate of 50 miles an hour with the wind from the side."

TWENTY MEN AT WORK.

Pueblo Smelter Will Give Preference to Americans Hereafter.

Pueblo, Colo., Aug. 10.—Twenty men are at work this morning in the furnace department of the zinc smelter and the big plant has partly resumed operations. The smelter management states that the plant is now in part open and that the furnace department is expected to be filled within a week. It is further announced by the management that no concessions will be made as the demand for the metal is so great that it is reasonable. Most of the strikers are foreigners and it is said the preference will be given native Americans who apply for positions.

About 400 men are out of work, because of the strike, deputy sheriffs still are on guard at the plant but so far there has been no lawlessness.

Wanted.—Competent men to take exclusive territory agency for a popular automobile at medium prices, in Topeka and other Kansas cities; address, Dr. C. F. Howe, Atchison, Kan.

HIS LONG JUMP.

George Latham Leaps From
Second Story of Court House.Landed Unhurt and Made Break
for Liberty.

CAUGHT BY A DEPUTY

Long Chase Led Nearly to the
State Asylum.Great Excitement at Court House
Following Prisoner's Escape.

George Latham, a prisoner, held for assault, made a desperate break for liberty today. He jumped from the second story window at the court house. That he was not killed or severely injured is remarkable. He was captured after a long chase by Deputy Sheriff Sauls.

Latham was arraigned in the court of Topeka which is on the north side of the county court house. A hall separates the court room from the clerk's office with a toilet at the end. Latham entered the toilet. Red Lee, clerk of the court, saw the action and kept watch from his window but, his attention drawn away for a moment, he did not see the body swing past his view.

Donovan gave the first alarm and all was excitement. His deputy, Bradshaw, ran to the sheriff's office for help, and he followed. Lee shot out of the office at full speed and down the stairs seven steps at a time falling at the bottom with a sprained ankle.

Meanwhile, Deputy Parker, a young negro trusty at the county jail, who had been working in Wilkerson's barn beside the rear door where Latham had struck recognized his fellow prisoner and gave chase.

But Latham used strategy. The negro was the better runner and several times would have caught the runaway had not Latham yelled to white people on his way to "stop that nigger or he'll kill me." Then Parker would explain and continue his pursuit until he saw Latham enter the woods at the river side. There he feared treachery or ambush and withdrew for help.

Sauls Aided by a Dream.

A peculiar incident connected with this break for freedom is the connection of Deputy Sheriff Sauls. When the marshal of the court and his deputy, Chas. Bradshaw took Latham over to the court room this morning, Lon Sauls turned to Rayless, undersheriff and said: "By George, I dreamed last night that that fellow got away from the officers and I caught him. He had a torn coat and ran like sin but I caught him with my gun point blank on him. I could not get him as plain as day trying to avoid me. I'll bet you he runs away today."

Fifteen minutes later Charles Bradshaw blew his whistle in the court house as he ran to the sheriff's office and when he had gotten outside he saw Lon Sauls standing on the porch of the jail with gun in hand peering in every direction for the runaway. He had heard the whistle and knew what it meant.

Lon was then sent by Rayless to hunt the fugitive. He got his trail in the bushes under the new corner of Harrison street and hurried after him.

"Every move I made," said Sauls, "I just felt I was right and I was going to catch that man. I chased through the brush west and knew I was right. I followed on as fast as I could, not knowing what I was doing. I told me he would be on ahead. Then I came to the Kenwood sewer under process of construction and looking down there were footprints right in front of me. I followed those steps across the ridge, then jumped the ditch and clambering up the other side there were those footprints again. Then I saw some workmen busy on the house at the north end of Greenwood avenue in Potwin. I talked to them and they said a fellow had stopped there just a minute before and rolled a car over."

"I ran across to the residence of Chas. Gled and excused myself for coming over the children on my way in to the telephone. Calling for help from the sheriff, I hurried on and looking up the road saw my man walking leisurely three blocks west. Hurrying as fast as I could dodging behind obstructions to keep from being seen I saw him again take to the brush. Later he stepped out into the road and looked around but I was five blocks away and he did not know me."

"I tried to get a fellow with a horse to let me have him for ten minutes for \$1, but he did not. I was so weary I could hardly go any further. Then I saw him cross the little Ward creek and walk west on the highway. I followed him and when I was alone there and then stepped down an alley and stopped by a barn six or eight blocks away. Luckily I saw a negro boy delivering groceries and offered him \$1 for a few minutes work and he drove me at a dead run up beside the barn. I did not pay him but ran around the side of the building and saw where Latham had gone down the creek bank. Not waiting to find the stepping stones, I dashed through the water and came up onto an open space. There stood Latham. I yelled and threw my gun on him. — stop or I'll kill you right there. — I shouted and he stopped. It was more than three miles we ran."

The prisoner, back in the county jail, cried before his reappearance at 2 o'clock in the afternoon. E. L. Schenck had changed the charge from assault to breaking away from the officers and said, "I am going to send that fellow to the penitentiary. He is a bad man."

That another prisoner had not joined the flight is a wonder. Frank Graves, a negro, charged with murdering a friend about the body with a pocket knife, was in the court room also. When Latham made his leap, a attention was directed to the windows and officers left Graves all to his own reflections. He wandered about the court room awhile, thinking what a lot of fools are the Topeka people were, walked out into the hall and around the building and then hunted up some one to talk to. Going into the clerk of the court's room he sat down in a chair.

"Well," he said, "if I wanted to go I could. There is no one to stop me, but I guess I'll stand trial if you people will let me."

His trial was set for Thursday.

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Hand Bag Sale

\$1.25, \$1.50, \$1.75, \$2.00
values on sale for..... **97c**

Quite beyond us to recall a time when such values have been presented in handbags as come to you in this sale.

The maker in cleaning up this lot to us supplied scores of styles from which you can choose. There are the rather small and the extremely large sizes—both of which Fashion says are in excellent taste.

There is wide variety in shape, all are substantially made of morocco, goat, saffian, suede, patent, seal, walrus and fancy pressed leathers. Black is always good, but this season there are navy, green, tan, brown, grey, taupe and red. Frames are leather covered, some are overlapping, linings of leather and moire, one, two and three fittings, single and double strap handles, block and broken bottom styles, trimmed in gilt and gun metal. Displayed in our South Window Today, on sale tomorrow morning. Your Choice. **97c**

Watch these columns for our Dutch Collar Pin Sale.

Specials for Wednesday

White Loaf Flour, \$1.45 per sack.
Mixed Tea, for iced tea, 30c per pound.
Bulk Cocoanut, 15c per pound.
Pet Milk, large cans, 2 cans 15c.
Monarch White Asparagus Tips, 30c can.
Water Melons, 1c per pound.
Fresh Hamburger Steak, 10c per pound.
Topeka Club Coffee, 25c per pound.

Equal to any coffee sold in the city at 30c, 35c or 40c per lb.

Wm. Green & Son, Gr. Co.
813 Kansas Avenue

M. W. of A. Picnic
To be given by Shawnee Camp, No. 2800, Modern Woodmen of America.

NEW WOOD

Afternoon and Evening
Friday, August 13th

In addition to regular attractions, there will be a concert by **M. W. of A. Band, Exhibition Drills, Free Dancing.** All members and families of R. N. of A. and M. W. of A. especially invited.

MUST STAND TRIAL.

Mrs. Castle Cannot Escape Prosecution the Court Says.

New York, Aug. 10.—The charge of felonious assault preferred against Mary Scott Castle, of California, for shooting William B. Craig, a New York lawyer, will be pressed even if Mr. Craig should agree to withdraw his complaint.

Magistrate Butts, before whom Mrs. Castle was arraigned today and held in \$3,000 bail, declared the case would not be settled out of court.

"No district attorney or judge in this country can condone crime committed," said the magistrate. "There is no law for defendants in high society that does not apply to persons not in high society."

Bail was furnished for Mrs. Castle pending a hearing of her case.

Discoverer of Cripple Creek Dead.
Colorado Springs, Colo., Aug. 10.—"Bob" Womack, famous as the discoverer of Cripple Creek, died here today, aged 66. Death came after a lingering illness. He never profited by his great discovery and died in comparative poverty.

DEATHS AND FUNERALS.

Mrs. D. L. Whitney died at her home, 207 East Tenth avenue, at 8 o'clock this morning of apoplexy. Funeral arrangements will be announced later.

Mrs. John O'Connell, 75 years of age, died last night at the home of her daughter, Mrs. James Dwyer, 309 Lawrence street. Funeral arrangements have not been announced.

Thomas J. Billings, aged 72 years, died Monday afternoon at his home, 601 Clay street. The funeral was held this afternoon from the home of his son, J. S. Billings, 1269 Clay street.

Marion McLeod, the six-year-old daughter of E. E. McLeod of Chicago, died Monday from dysentery. Mr. and Mrs. McLeod are both ill with the same disease at Vancouver.

Lost Will, \$300 on Board.
Durban, Aug. 10.—The British cruiser Pandora returned here today after an unsuccessful search of eight days for the British steamer Waratah, which with 350 persons on board, has been missing since July 26. The Pandora covered an area of 250 square miles and her commander is of the opinion that if the Waratah is still afloat he would have sighted her.

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JAPAN MAKES REPLY. HE SOLD COLLATERAL.

Ready to Resume Negotiations With
China on Minor Issues.

Peking, Aug. 10.—Japan has made her reply to the last Chinese communication regarding the reconstruction of the Antung-Mukden railroad, in which Peking agreed that the line be of standard gauge and suggested the resumption of negotiations on the other points at issue. Tokyo accepts these proposals, and expresses the desire that the negotiations be resumed at Mukden where they were broken off by China.

China is today taking a more favorable view of the situation and the tension of the last few days is noticeably relaxed.

In view of the publication abroad of sensational statements that Japan has undertaken extensive military operations in the Chinese district between Korea and Manchuria, Baron Tomin, the Japanese minister, has today denied officially that there were any Japanese troops in China.

DRAWING GOES ON.

Couer D'Alene List Will Be Exhausted Today.

Couer D'Alene, Idaho, Aug. 10.—With the opening of the application of John L. Shuler of New Berlin, Ill., the second day of the great Indian land drawing was started here today. Mr. Shuler takes number 1591, and before night the entire list of 5,000 names for the Couer D'Alene reservation will have been completed.

Thursday morning the drawing for the Flathead reservation begins and next Monday comes the Spokane reserve. Hundreds of those names are drawn today may never appear to claim a right to locate on the land. Thousands registered only to take chance of winning the early numbers.

ELEPHANTS ESCAPED.

Eleven Beasts Stampeded at Clay Center When Dog Bit Leader.

Clay Center, Kan., Aug. 10.—For two hours today the people of the town were terrorized by 11 elephants which escaped from a show and stampeded through the streets. The trouble started when a small dog bit a heel of one of the elephants. The beast at once began to trumpet and, breaking from his keeper, ran away.

The other 10 elephants followed the leader. Before the animals were finally captured one showman was knocked from a horse and his leg was broken. During the excitement the people of the town kept off the streets.

Airship Age Here.

Signs multiply of the near approach of the expected age of aviation. The adjournment of congress to witness the trial of a Wright aeroplane, the announcement of a national exposition of air craft to be held in Boston next spring, the presence of aeroplanes near canvas waiting for weather conditions favorable for an aeroplane flight across the English channel—these incidents of advertised effort of dealers to supply wide interest in air travel and to the progress made toward its realization. With the secret but just formed application to practical uses is well underway.

Not the least significant of developments along this line is the establishment of a chair of aviation at the University of Paris, with a fund of \$100,000, and the foundation of the same university of a department of technical education with an endowment of \$100,000. Columbia university announced some time ago that it would provide instruction in air travel at the university around which long and controversial interest in the science of which they were pioneers—New York World.

Baseball Phone.
The State Journal has a special baseball information, scores, etc., call independent phone No. 518.

Broker Is Arrested on a Charge of
Grand Larceny.

New York, Aug. 10.—Investigation into the appearance on the curb market of 2,000 shares of Davis-Daly and Ohio Copper company stock after M. Joyce, a broker, frequently acting for F. Augustus Heinze, had pledged it, led to the arrest today of Donald L. Persch, a note broker. Persch is accused of grand larceny.

His arrest was ordered on the statement of John Sherwood, another note broker, whose version of the transaction had been sought by the district attorney's office.

E. E. SHOAF IS DEAD

Proprietor of Holiday House Dies in
South Dakota.

E. E. Shoaf, proprietor of the Holiday House, died yesterday at Dallas, South Dakota. Mr. Shoaf had a farm near that place and was there to visit his property. The telegram which was received last night did not give the cause of his death.

B. & O. Merger Ratified.

Cincinnati, O., Aug. 10.—The stockholders of the B. & O. railway met here today and ratified the plan of the Cincinnati, Hamilton & Dayton directors for the merger with the B. & O. road. The meeting also approved all the details of the financial reorganization as planned by J. P. Morgan. Further consent of the Cincinnati, Hamilton & Dayton creditors must be secured before the reorganization plan can be carried out.

Can Settle For \$10,000 and Costs.
Washington, Aug. 10.—The Cascade Dilling company of Nashville, Tenn., will be allowed to settle its case against it and its officers, on account of whisky seizures in April last, for \$10,000 and costs. The department of justice today recommended the acceptance of this compromise and the treasury department has approved it.

Sending Gold to Japan.

New York, Aug. 10.—To replace \$2,000,000 in gold taken from San Francisco for export to Japan, the Yokohama Specie bank, it was announced today, will transfer through the subtreasury here an equal amount to San Francisco. This makes a total of \$4,250,000 exported to Japan by this bank since May 14.

Death Comes to an Aged Actress.
Belmont, Aug. 10.—Mrs. Jane Gordon, the aged actress, died here today of ailments incident to old age, aged 88 years. She retired from the stage eight or ten years ago.

LOCAL MENTION.

Try the famous J. R. S. 5c cigar. Sold all over the city.

Born to Mr. and Mrs. J. G. Heibert, 719 Adams street, August 4, a daughter, Miss Anna Pe. switch key was picked up at Sixth avenue and Fillmore street today. The owner can have it by calling at the State Journal office.

Go to Burghart's and buy your smoking supplies and get a rebate check. Mrs. Thomas Mitchell says that the story of the arrest of E. L. Norton for beating up M. J. Mitchell was wrong in one particular. She says that Mr. Mitchell did not prevent the man assault; the man injured, Norton is out on bond.

The horse which Con G. Chumos, the Greek confectioner, drives on his cream wagon has developed quite a habit of running away. Twice today the mid downsaken the liberty of the horse run from the rear of the Chumos place at 804 Kansas avenue, but was stopped by a couple of pedestrians. Again this afternoon the horse run from the rear of the Chumos place at 804 Kansas avenue, but was stopped by a couple of pedestrians. The animal was stopped near Sixth avenue. No one was injured in either runaway.

The regular monthly meeting of the Women's Foreign Missionary society of the First Methodist church will be held on Wednesday afternoon at 3 o'clock at the residence of Mrs. L. E. McEntire, 704 Taylor street.